

**FIRST AMENDMENT TO
CONFEDERATED SALISH & KOOTENAI TRIBES – MONTANA GASOLINE TAX
AGREEMENT**

This First Amendment to the Confederated Salish & Kootenai Tribes – Montana Gasoline Tax Agreement (“First Amendment”) is entered into between the State of Montana, Department of Transportation (“State”) and the Confederated Salish & Kootenai Tribes of the Flathead Indian Reservation (“Tribes”).

RECITALS

WHEREAS, the State and the Tribes entered into the Confederated Salish & Kootenai Tribes – Montana Gasoline Tax Agreement on August 30, 2012 (“Agreement”); and

WHEREAS, the Agreement may be amended by the parties pursuant to Section 9 of the Agreement; and

WHEREAS, the parties desire to amend certain parts of the Agreement;

THEREFORE, the State and the Tribes agree to amend the Agreement as follows:

The third paragraph of the Agreement is amended as follows:

The reference to Mont. Code Ann. § 15-70-234, *et seq.*, is replaced by Mont. Code Ann. §§ 15-70-450, 451 and 452.

Section 3 of the Agreement is amended to update the renumbered statutory reference as follows:

3. State law.

Title 15, Chapter 70, Part 2, Montana Code Annotated is replaced with Title 15, Chapter 70, Part 4, Montana Code Annotated.

Section 5(d) of the Agreement is amended to update the statutory reference as follows:

5. Collection, Administration, and Enforcement of Taxes.

Title 15, Chapter 70, Part 2, Montana Code Annotated is replaced with Title 15, Chapter 70, Part 4, Montana Code Annotated.

Section 6 of the Agreement shall be amended to add the following:

6. Term.

This Agreement shall be extended for an additional term of ten (10) years from the date of execution of this First Amendment.

Section 8 of the Agreement is amended to update the statutory reference:

8. Effective Date.

Section 15-70-234, MCA is replaced with Section 15-70-450, MCA.

Section 14 of the Agreement is amended to update the statutory reference:

14. Reservation of Rights and Negative Declaration.

Mont. Code Ann. §§ 15-70-201 through -236, 2009 *et seq.* is replaced with Mont. Code Ann. Title 15, Chapter 70, Part 4.

As required by Section 8(a) of the Agreement, the parties' signatures are set forth below. Except as expressly amended hereby, all terms and conditions of the Agreement remain in full force and effect.

This First Amendment consists of three (3) pages.

DATED this ____ day of ____, 2022.

STATE OF MONTANA

**CONFEDERATED SALISH &
KOOTENAI TRIBES**

Greg Gianforte
Governor

Tom McDonald
Chairman
(pursuant to authorizing resolution of the
Confederated Salish & Kootenai Tribal
Council)

Malcolm Long, Director
Montana Department of Transportation

Approved pursuant to Mont. Code Ann. § 18-11-105

Austin Knudsen, Attorney General